

1 **R307. Environmental Quality, Air Quality.**

2 **R307-405. Permits: Prevention of Significant Deterioration**  
3 **of Air Quality (PSD).**

4 **R307-405-1. Definitions.**

5 The following additional definitions apply to R307-405:

6 "Baseline Area" means any intrastate area (and every  
7 part thereof) designated as attainment or unclassifiable  
8 under Section 107(d)(1)(D) or (E) of the federal Clean Air  
9 Act in which the major source or major modification  
10 establishing the minor source baseline date would construct  
11 or would have an air quality impact equal to or greater than  
12 1 ug/m3 (annual average) of the pollutant for which the minor  
13 source baseline date is established.

14 (1) Area redesignations under section 107(d)(1) (D) or  
15 (E) of the federal Clean Air Act cannot intersect or be  
16 smaller than the area of impact of any major stationary  
17 source or major modification which:

- 18 (a) Establishes a minor source baseline date; or  
19 (b) Is subject to 40 CFR 52.21 or R307-405, and would  
20 be constructed in the same state as the state proposing the  
21 redesignation.

22 "Baseline Concentration" means that ambient  
23 concentration level which exists in the baseline area at the  
24 time of the applicable minor source baseline date.

25 "Major Modification" means any physical change in or  
26 change in the method of operation of a major stationary  
27 source that would result in a significant net emissions  
28 increase of any pollutant subject to regulation under the  
29 Clean Air Act.

30 (1) Any net emissions increase that is significant for  
31 volatile organic compounds shall be considered significant  
32 for ozone.

33 (2) A physical change or change in the method of  
34 operation shall not include:

- 35 (a) routine maintenance, repair, and replacement;  
36 (b) use of an alternative fuel or raw material by  
37 reason of an order under section 2(a) and (b) of the Energy  
38 Supply and Environmental Coordination Act of 1974 (or any  
39 superseding legislation), or by reason of a natural gas  
40 curtailment plan pursuant to the Federal Power Act;  
41 (c) use of an alternative fuel by reason of an order or  
42 rule under section 125 of the Clean Air Act;  
43 (d) use of an alternative fuel at a steam generating  
44 unit to the extent that the fuel is generated from municipal  
45 solid waste;  
46 (e) use of an alternative fuel or raw material by a  
47 source which:

1 (i) the source was capable of accommodating before  
2 January 6, 1975, unless such change would be prohibited under  
3 any federally enforceable permit condition; or

4 (ii) the source is approved to use;

5 (f) an increase in the hours of operation or in the  
6 production rate, unless such change would be prohibited under  
7 any federally enforceable permit condition;

8 (g) any change in ownership at a source

9 (h) the addition, replacement or use of a pollution  
10 control project at an existing electric utility steam  
11 generating unit, unless the executive secretary determines  
12 that such addition, replacement, or use renders the unit less  
13 environmentally beneficial, or except:

14 (i) when the executive secretary has reason to believe  
15 that the pollution control project would result in a  
16 significant net increase in representative actual annual  
17 emissions of any criteria pollutant over levels used for that  
18 source in the most recent air quality impact analysis in the  
19 area conducted for the purpose of Title I of the Clean Air  
20 Act, if any, and

21 (ii) the executive secretary determines that the  
22 increase will cause or contribute to a violation of any  
23 national ambient air quality standard or PSD increment, or  
24 visibility limitation.

25 (i) the installation, operation, cessation, or removal  
26 of a temporary clean coal technology demonstration project,  
27 provided that the project complies with:

28 (i) the Utah State Implementation Plan; and

29 (ii) other requirements necessary to attain and  
30 maintain the national ambient air quality standards during  
31 the project and after it is terminated.

32 (j) the installation or operation of a permanent clean  
33 coal technology demonstration project that constitutes  
34 repowering, provided that the project does not result in an  
35 increase in the potential to emit of any regulated pollutant  
36 emitted by the unit. This exemption shall apply on a  
37 pollutant-by-pollutant basis.

38 (k) the reactivation of a very clean coal-fired  
39 electric utility steam generating unit.

40 "Major Source" means:

41 (1) any of the following sources of air pollutants  
42 which emits, or has the potential to emit, 100 tons per year  
43 or more of any pollutant subject to regulation under the  
44 Clean Air Act: Fossil fuel-fired steam electric plants of  
45 more than 250 million British thermal units per hour heat  
46 input, coal cleaning plants (with thermal dryers), kraft pulp  
47 mills, portland cement plants, primary zinc smelters, iron

1 and steel mill plants, primary aluminum ore reduction plants,  
2 primary copper smelters, municipal incinerators capable of  
3 charging more than 250 tons of refuse per day, hydrofluoric,  
4 sulfuric, and nitric acid plants, petroleum refineries, lime  
5 plants, phosphate rock processing plants, coke oven  
6 batteries, sulfur recovery plants, carbon black plants  
7 (furnace process), primary lead smelters, fuel conversion  
8 plants, sintering plants, secondary metal production plants,  
9 chemical process plants, fossil fuel boilers (or combination  
10 thereof) totaling more than 250 million British thermal units  
11 per hour heat input, petroleum storage and transfer units  
12 with a total storage capacity exceeding 300,000 barrels,  
13 taconite ore processing plants, glass fiber processing  
14 plants, and charcoal production plants;

15 (2) any other source which emits, or has the potential  
16 to emit, 250 tons per year or more of any air pollutant; or

17 (3) a source which does not otherwise qualify as a  
18 major source as defined in this paragraph, but which is  
19 physically changed, which change itself would constitute a  
20 major source.

21 (4) a source which is major for volatile organic  
22 compounds is major for ozone.

23 (5) The fugitive emissions and fugitive dust of a  
24 stationary source shall not be included in determining for  
25 any of the purposes of this section whether it is a major  
26 stationary source, unless the source belongs to one of the  
27 following categories of stationary sources:

- 28 (a) Coal cleaning plants (with thermal dryers);
- 29 (b) Kraft pulp mills;
- 30 (c) Portland cement plants;
- 31 (d) Primary zinc smelters;
- 32 (e) Iron and steel mills;
- 33 (f) Primary aluminum ore reduction plants;
- 34 (g) Primary copper smelters;
- 35 (h) Municipal incinerators capable of charging more  
36 than 250 tons of refuse per day;
- 37 (i) Hydrofluoric, sulfuric, or nitric acid plants;
- 38 (j) Petroleum refineries;
- 39 (k) Lime plants;
- 40 (l) Phosphate rock processing plants;
- 41 (m) Coke oven batteries;
- 42 (n) Sulfur recovery plants;
- 43 (o) Carbon black plants (furnace process);
- 44 (p) Primary lead smelters;
- 45 (q) Fuel conversion plants;
- 46 (r) Sintering plants;
- 47 (s) Secondary metal production plants;

1           (t) Chemical process plants;  
2           (u) Fossil-fuel boilers (or combination thereof)  
3 totaling more than 250 million British thermal units per hour  
4 heat input;  
5           (v) Petroleum storage and transfer units with a total  
6 storage capacity exceeding 300,000 barrels;  
7           (w) Taconite ore processing plants;  
8           (x) Glass fiber processing plants;  
9           (y) Charcoal production plants;  
10          (z) Fossil fuel-fired steam electric plants of more  
11 than 250 million British thermal units per hour heat input;  
12          (aa) Any other stationary source category which, as of  
13 August 7, 1980, is being regulated under section 111 or 112  
14 of the Federal Clean Air Act.

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16 **R307-405-2. Area Designations.**

17          All areas of the State shall be designated as Class I,  
18 II, or III.  
19          (1) Pursuant to section 162(a) of the federal Clean Air  
20 Act the following areas are designated as mandatory Class I:  
21           (a) Arches National Park  
22           (b) Bryce Canyon National Park  
23           (c) Canyonlands National Park  
24           (d) Capitol Reef National Park  
25           (e) Zion National Park  
26          (2) Pursuant to section 162(b) of the federal Clean Air  
27 Act, all other areas of the State are designated as Class II  
28 unless redesignated as provided in R307-405-3 or are  
29 designated as nonattainment areas.

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31 **R307-405-3. Area Redesignation.**

32          (1) Within the restrictions and requirements of this  
33 paragraph, the Board may submit to the Governor for decision  
34 a recommendation to redesignate areas from any class to any  
35 other class.  
36          (2) In accordance with Section 162(a) of the federal  
37 Clean Air Act, areas designated as Class I under R307-405-2  
38 may not be redesignated.  
39          (3) In accordance with Section 164(a) of the federal  
40 Clean Air Act, the following areas may be redesignated only  
41 as Class I or II.  
42           (a) An area which as of August 7, 1977, exceeded 10,000  
43 acres in size and was a national monument, a national  
44 primitive area, a national preserve, a national recreation  
45 area, a national wild and scenic river, a national wildlife  
46 refuge, a national lakeshore or seashore; and

1 (b) A national park or national wilderness area  
2 established after August 7, 1977, which exceeds 10,000 acres  
3 in size.

4 (4) Except as provided in (2), (3) and (6) the Board  
5 may submit to the Governor for decision a recommendation to  
6 redesignate areas of the State as Class III if:

7 (a) There has been compliance with the requirements of  
8 (5) below.

9 (b) Such redesignation will not cause, or contribute  
10 to, concentrations of any air pollutant which exceed any  
11 maximum allowable increase permitted under the classification  
12 of any other area or any national ambient air quality  
13 standard; and

14 (c) Any permit application for any major source or  
15 major modification which could receive an approval order only  
16 if the area in question were redesignated as Class III, and  
17 any material submitted as part of that notice of intent were  
18 available, insofar as practicable, prior to any public  
19 hearing or redesignation.

20 In accordance with Section 164 of the federal Clean Air  
21 Act, redesignations to Class III may be approved by the  
22 Governor only after consultation with appropriate committees  
23 of the legislature and if units of local government  
24 representing a majority of the residents of the proposed area  
25 to be redesignated enact ordinances concurring in the  
26 redesignation.

27 (5) Prior to submittal to the Governor of a  
28 recommendation to redesignate any area:

29 (a) Notice shall be published in each daily newspaper  
30 in the affected area and written notice shall be made to  
31 local government units, other states, Indian governing  
32 bodies, Federal Land Managers whose lands may be affected by  
33 the proposed redesignation and public hearings shall be  
34 conducted in the affected areas. Such notice shall be made  
35 at least 30 days prior to the public hearing and include a  
36 statement of the availability of the discussion outlined in  
37 (b) below. Prior to the issuance of a notice under this  
38 paragraph respecting the redesignation of any Federal lands,  
39 a written notice shall be given to the appropriate Federal  
40 Land Manager who shall be afforded opportunity (not to exceed  
41 60 days) to confer with the Board respecting the  
42 redesignation and to submit written comments and  
43 recommendations. In recommending redesignation of any area  
44 with respect to which a Federal Land Manager has submitted  
45 comments the Board shall publish a list of any inconsistency  
46 between such redesignation and such comments and  
47 recommendations together with the reasons for recommending

1 such redesignation against the recommendation of the Federal  
2 Land Manager; and

3 (b) A discussion of the reasons for the proposed  
4 redesignation, including a satisfactory description and  
5 analysis of the health, environmental, economic and social  
6 and energy effects of the proposed redesignation, will be  
7 prepared and made available for public inspection at least 30  
8 days prior to the hearing. Any person who petitions the  
9 Board for redesignation of an area may be required to prepare  
10 and submit this analysis to the Board.

11 (6) Lands within the exterior boundaries of  
12 reservations of federally recognized Indian Tribes may be  
13 redesignated only by the appropriate Indian body as provided  
14 in Section 164 of the Clean Air Act.

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16 **R307-405-4. Increments and Ceilings.**

17 (1) In Class I, II, or III areas, the maximum allowable  
18 increases in concentrations of sulfur dioxide, nitrogen  
19 dioxide and particulate matter over baseline concentrations  
20 of such pollutants are limited to the following:

21  
22 TABLE

23

(1)Maximum Allowable Increase (ug/m3)			
Pollutant	Class I	Class II	Class III
PM10:			
Annual Arithmetic Mean	4	17	34
24-hr. Maximum	8	30	60
Sulfur Dioxide:			
Annual Arithmetic Mean	2	20	40
24-hr. Maximum	5	91	182
3-hr. Maximum	25	512	700
Nitrogen Dioxide:			
Annual Arithmetic Mean	2.5	25	50

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37 Note (1): At any one location, the maximum allowable  
38 increase for other than the annual period may be exceeded  
39 once each year. For any period other than the annual period,  
40 the applicable maximum allowable increase may be exceeded  
41 during one such period per year at any one location.

42  
43 (2) Variances to Class I areas will be allowed only  
44 after compliance with the requirements of and within the  
45 increments provided in Section 165 of the federal Clean Air  
46 Act, or in the case of PM10 increments, only after compliance  
47 with the Title 40 of the Code of Federal Regulations, Section

1 51.166(p)(4) (as amended-see the June 3, 1993 Federal  
2 Register notice, 58 FR 31637) which is hereby incorporated by  
3 reference.

4 (3) In any area, no resultant concentration of any air  
5 pollutant shall exceed the concentration permitted under  
6 either the national secondary or primary ambient air quality  
7 standard whichever concentration is lowest for the pollutant  
8 for a period of exposure.

9 (4) Exclusions from increment consumption. The  
10 following concentrations shall be excluded in determining  
11 compliance with a maximum allowable increase:

12 (a) Concentrations attributable to the increase in  
13 emissions from sources which have converted from:

14 (i) the use of petroleum products, natural gas, or both  
15 by reason of an order in effect under sections 2(a) and (b)  
16 of the Energy Supply and Environmental Coordination Act of  
17 1974; or

18 (ii) using natural gas by reason of a natural gas  
19 curtailment plan in effect pursuant to the Federal Power Act,  
20 over the emissions from such sources before the effective  
21 date of such an order or plan.

22 No exclusion of such concentrations shall apply more  
23 than five years after the effective date of the order or the  
24 plan. If both an order and plan are applicable, no such  
25 exclusion shall apply more than five years after the later of  
26 such effective dates.

27 (b) Concentrations of PM10 attributable to the increase  
28 in emissions from construction or other temporary emission-  
29 related activities.

30 (c) Concentrations attributable to the temporary  
31 increase in emissions of sulfur dioxide, nitrogen oxides or  
32 PM10 from sources which are affected by plan revisions  
33 approved by EPA as meeting the criteria specified in 40 CFR  
34 51.166(f)(4).

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36 **R307-405-5. Baseline Concentration and Date.**

37 (1) Baseline concentration. A baseline concentration  
38 is determined for each pollutant for which a minor source  
39 baseline date is established and shall include:

40 (a) The actual emissions representative of sources in  
41 existence on the applicable minor source baseline date except  
42 as provided in (2) below;

43 (b) The allowable emissions of major sources which  
44 commence construction before the major source baseline date,  
45 but were not in operation by the applicable minor source  
46 baseline date.

1       (2) The following will not be included in the baseline  
2 concentration and will affect the applicable maximum  
3 allowable increase(s):

4       (a) actual emissions from any major source on which  
5 construction commenced after the major source baseline date,  
6 and

7       (b) actual emissions increases and decreases at any  
8 source occurring after the minor source baseline date.

9       (3) Baseline date. The minor source baseline date is  
10 established for each pollutant for which increments or other  
11 equivalent measures have been established if:

12       (a) the area in which the proposed source or  
13 modification would construct is designated as attainment or  
14 unclassifiable under section 107(d)(i)(D) or (E) of the  
15 federal Clean Air Act for the pollutant on the date of its  
16 complete application under 40 CFR 52.21, or R307-405; and

17       (b) in the case of a major source the pollutant would  
18 be emitted in significant amounts, or, in the case of a major  
19 modification, there would be a significant net emissions  
20 increase of the pollutant. With respect to particulate  
21 matter, significant shall mean significant for PM10.

22       (4)(a) Any minor source baseline date established  
23 originally for increments of total suspended particulates  
24 shall remain in effect and shall apply for purposes of  
25 determining the amount of available PM10 increments, except  
26 that the executive secretary may rescind any such minor  
27 source baseline date where it can be shown to the executive  
28 secretary's satisfaction that the emissions increase from the  
29 major stationary source or the net emissions increase from  
30 the major modification responsible for triggering that date  
31 did not result in a significant amount of PM10 emissions.

32       (b) Any baseline area established originally for the  
33 increments of total suspended particulates shall remain in  
34 effect and shall apply for purposes of determining the amount  
35 of available PM10 increments, except that such baseline area  
36 shall not remain in effect if the executive secretary  
37 rescinds the corresponding minor source baseline date in  
38 accordance with(a) above.

#### 39 40 **R307-405-6. PSD Areas - New Sources and Modifications.**

41       (1) Emission Limitations. Any source constructed or  
42 modified in a PSD area must meet all applicable emissions  
43 requirements of R307 and the Utah State Implementation Plan.  
44 A proposed source or modification which is not a major source  
45 or major modification may be approved without meeting the  
46 requirements in (2) below, provided such source meets all  
47 other applicable requirements of these regulations. The



1 emission limitations shall be stated as conditions of the  
2 approval order.

3 (2) Major Source and Major Modification Review. Every  
4 new major source or major modification must be reviewed by  
5 the Executive Secretary to determine the air quality impact  
6 of the source to include a determination whether the source  
7 will cause or contribute to a violation of the maximum  
8 allowable increases or the NAAQS in any area. The  
9 determination of air quality impact will be made as of the  
10 source's projected start-up date. Such determination shall  
11 take into account all allowable emissions of approved sources  
12 or modifications whether constructed or not, and, to the  
13 extent practicable, the cumulative effect on air quality of  
14 all sources and growth in the affected area.

15 (a) In addition to meeting all other requirements of  
16 these regulations, any major source or major modification  
17 which would be constructed in a PSD area, shall:

18 (i) Provide the following additional information with  
19 the notice of intent required pursuant to R307-401:

20 (A) An analysis of the air quality impact of the source  
21 or modification and a demonstration that allowable emissions  
22 increases from the source or modification, in conjunction  
23 with all other applicable emissions increases or reductions  
24 (including secondary emissions), will not cause or contribute  
25 to a violation of any maximum allowable increase over the  
26 baseline concentration in any area or any NAAQS in any area.

27 (B) An analysis of ambient air quality in the affected  
28 area for each pollutant that a new source would have the  
29 potential to emit in a significant amount, and for each  
30 pollutant for which a modification would result in a  
31 significant net emissions increase. With respect to any such  
32 pollutant for which no NAAQS exists, the analysis shall  
33 contain such air quality monitoring data as the Executive  
34 Secretary determines is necessary to assess ambient air  
35 quality for that pollutant in any area that the emissions of  
36 that pollutant would affect. With respect to any such  
37 pollutant (other than non-methane hydrocarbons) for which  
38 such a NAAQS does exist, the analysis shall contain  
39 continuous air quality monitoring data gathered for purposes  
40 of determining whether emissions of that pollutant would  
41 cause or contribute to a violation of the standard or any  
42 maximum allowable increase in any area that the emissions of  
43 that pollutant would affect. In general, the continuous air  
44 quality monitoring data that is required shall have been  
45 gathered over a period of at least one year and shall  
46 represent at least the year preceding receipt of the notice  
47 of intent, except that, if the Executive Secretary determines

1 that a complete and adequate analysis can be accomplished  
2 with monitoring data gathered over a period shorter than one  
3 year (but not to be less than four months), the data that is  
4 required shall have been gathered over at least that shorter  
5 period. Any data used in the analysis must be gathered using  
6 EPA reference methods or equivalent and quality assurance  
7 procedures equivalent to 40 CFR Part 58, Appendix B. A  
8 monitoring plan will be submitted to the Executive Secretary  
9 for approval prior to data collection. The Executive  
10 Secretary may grant exceptions or modifications to these  
11 monitoring requirements when not inconsistent with federal  
12 law.

13 (C) Upon request of the Executive Secretary, the air  
14 quality impact of the source or modification, including  
15 meteorological and topographical data necessary to estimate  
16 such impact; and the air quality impact of any or all general  
17 commercial residential, industrial, and other growth which  
18 has occurred since the minor source baseline date in the area  
19 the source or modification would affect.

20 (D) An analysis of the air quality related impact of  
21 the source or modification including an analysis of the  
22 impairment to visibility, soils, and vegetation and the  
23 projected air quality impact from general commercial,  
24 residential, industrial, and other growth associated with the  
25 source or modification. The owner or operator need not  
26 provide an analysis of the impact on vegetation having no  
27 significant commercial or recreational value.

28 (ii) After construction of the source or modification,  
29 conduct such ambient air quality monitoring as the Executive  
30 Secretary determines may be necessary to establish the effect  
31 which the emissions from the source or modification may have  
32 on the air quality in any area.

33 (b) If the Executive Secretary finds that the emissions  
34 from a proposed major source or major modification would  
35 cause a violation of any maximum allowable increase over the  
36 baseline concentration in any area, the Executive Secretary  
37 shall approve the proposed source if and only if:

38 (i) the new source or modification is required to meet  
39 a more stringent emission limitation sufficient to avoid a  
40 violation of the maximum allowable increase and/or

41 (ii) the new source or modification has acquired  
42 sufficient offset to avoid a violation of the maximum  
43 allowable increase, and

44 (iii) the new emission limitations for the proposed  
45 source and for any affected existing sources are enforceable.

46 (c) If the Executive Secretary finds that the emissions  
47 from a proposed major source or major modification would

1 contribute to a known violation of any maximum allowable  
2 increase over the baseline concentration in any area, the  
3 Executive Secretary shall approve the proposed source if and  
4 only if:

- 5 (i) the new source or modification has acquired  
6 sufficient emission offset so as to provide a positive net  
7 air quality benefit in the affected area, and
- 8 (ii) any new emission limitations for affected existing  
9 sources are enforceable.

10 (3) The requirements of (2)(a) above shall not apply to  
11 a major source or major modification if:

12 (a) The source is a portable stationary source which  
13 has previously received a permit under this paragraph, and

14 (i) The owner or operator proposes to relocate the  
15 source and emissions of the source at the new location would  
16 be temporary; and

17 (ii) The emissions from the source would not exceed its  
18 allowable emissions; and

19 (iii) The emissions from the source would impact no  
20 Class I area and no area where an applicable increment is  
21 known to be violated;

22 (b) The source or modification would be a non-profit  
23 health or non-profit educational institution and the Board  
24 approves a request that it be exempt from those requirements.

25 (c) The source or modification would be a major source  
26 or major modification only if fugitive emission and fugitive  
27 dust, to the extent quantifiable, are considered in  
28 calculating the potential to emit of the source or  
29 modification and the source does not belong to any of the  
30 following categories:

- 31 (i) Coal cleaning plants (with thermal dryers);
- 32 (ii) Kraft pulp mills;
- 33 (iii) Portland cement plants;
- 34 (iv) Primary zinc smelters;
- 35 (v) Iron and steel mills;
- 36 (vi) Primary aluminum or reduction plants;
- 37 (vii) Primary copper smelters;
- 38 (viii) Municipal incinerators capable of charging more  
39 than 250 tons of refuse per day;
- 40 (ix) Hydrofluoric, sulfuric, or nitric acid plants;
- 41 (x) Petroleum refineries;
- 42 (xi) Lime plants;
- 43 (xii) Phosphate rock processing plants;
- 44 (xiii) Coke oven batteries;
- 45 (xiv) Sulfur recovery plants;
- 46 (xv) Carbon black plants (furnace process);
- 47 (xvi) Primary lead smelters;

(xvii) Fuel conversion plants;  
(xviii) Sintering plants;  
(xix) Secondary metal production plants;  
(xx) Chemical process plants;  
(xxi) Fossil-fuel boilers (or combination thereof)  
totaling more than 250 million British thermal units per hour  
heat input;  
(xxii) Petroleum storage and transfer units with a  
total storage capacity exceeding 300,000 barrels;  
(xxiii) Taconite ore processing plants;  
(xxiv) Glass fiber processing plants;  
(xxv) Charcoal production plants;  
(xxvi) Fossil fuel-fired steam electric plants of more  
than 250 million British thermal units per hour heat input;  
(xxvii) Any other stationary source category which, as  
of August 7, 1980, is being regulated under section 111 or  
112 of the federal Clean Air Act.

(d) With respect to a particular pollutant, the  
allowable emissions of that pollutant from the source, or the  
net emissions increase of that pollutant from the  
modification:

(i) would impact no Class I area and no area where an  
applicable increment is known to be violated, and

(ii) would be temporary.

(4) The requirements of (2)(a) above as they relate to  
any maximum allowable increase for a Class II area shall not  
apply to a major modification at a source that was in  
existence on March 1, 1978, if the net increase in allowable  
emissions for each pollutant from the modification after the  
application of best available control technology would be  
less than 50 tons per year.

(5)(a) The requirements of (2)(a)(i)(A) above  
pertaining to the impact analysis shall not apply to a source  
or modification with respect to any maximum allowable  
increase for nitrogen oxides if the owner or operator of the  
source or modification submitted a notice of intent before  
October 15, 1990, and the Executive Secretary subsequently  
determined that the notice of intent as submitted before that  
date was complete.

(b) The requirements of (2)(a)(i)(A) above concerning  
an analysis of the maximum allowable increase over the  
baseline concentration shall not apply to a stationary source  
or modification with respect to any maximum allowable  
increase for PM<sub>10</sub> if the owner or operator of the source or  
modification submitted an application for a permit before  
December 15, 1994, and the executive secretary subsequently  
determined that the application as submitted before that date

1 was complete. Instead, the applicable requirements shall be  
2 with respect to the maximum allowable increases for total  
3 suspended particulates as in effect on the date the  
4 application was submitted. These increments were, for the  
5 annual geometric mean: 5, 19, and 37 micrograms/cubic meter  
6 for Class I, II and III areas respectively and, for the 24-  
7 hour maximum: 10, 37 and 75 micrograms/cubic meter for Class  
8 I, II and III areas respectively.

9 (6) Exemption - Monitoring Requirement

10 (a) The Executive Secretary may grant exceptions or  
11 modifications to the monitoring requirements in (2)(a)(i)(B)  
12 above which are not inconsistent with federal law.

13 (b) The Executive Secretary may exempt a stationary  
14 source or modification from the requirements of (2)(a)(i)(B)  
15 above with respect to monitoring for a particular pollutant  
16 if:

17 (i) The emissions increase of the pollutant from the  
18 new source or the net emissions increase of the pollutant  
19 from the modification would cause, in any area, air quality  
20 impacts less than the following amounts:

21 Carbon monoxide - 575 ug/m3, 8-hour average;

22 Nitrogen dioxide - 14 ug/m3, annual average;

23 PM10 - 10 micrograms/cubic meter, 24-hour average;

24 Sulfur dioxide - 13 ug/m3, 24-hour average;

25 Lead - 0.1 ug/m3, 24-hour average;

26 Mercury - 0.25 ug/m3, 24-hour average;

27 Beryllium - 0.0005 ug/m3, 24-hour average;

28 Ozone - No de minimis air quality level is provided for  
29 ozone. However, any proposed source or modification subject  
30 to PSD with net increase of 100 tons per year or more of  
31 volatile organic compounds subject to PSD would be required  
32 to perform an ambient impact analysis including the gathering  
33 of ambient air quality data;

34 Fluorides - 0.25 ug/m3, 24-hour average;

35 Vinyl chlorides - 15 ug/m3, 24-hour average;

36 Total reduced sulfur - 10 ug/m3, 1-hour average;

37 Hydrogen sulfide - 0.04 ug/m3, 1-hour average;

38 Reduced sulfur compounds - 10 ug/m3, 1-hour average; or

39 (ii) The concentrations of the pollutant in the area  
40 that the source or modification would affect are less than  
41 the concentrations listed or the pollutant is not listed in  
42 (i) above.

43  
44 **R307-405-7. Increment Violations.**

45 Where the Board determines that an increment under R307-  
46 405-4 is violated, the Board shall promulgate a plan and  
47 implement regulations to eliminate the violation.

1  
2 **R307-405-8. Banking of Emission Offset Credit in PSD Areas.**

3 Banking of emission offset credits in PSD areas will be  
4 permitted. To preserve banked emission reductions the  
5 Executive Secretary must identify them in either the Utah SIP  
6 or an order and shall provide a registry to identify the  
7 person, private entity, or government authority that has the  
8 right to use or allocate the banked emission reduction and to  
9 record any transfer of or lien on these rights.

10  
11 **KEY: air pollution, PSD, Class I area**

12 **July 12, 2001**

13 **Notice of Continuation August 11, 2003**

14 **19-2-104**